

SENATE BILL 740

By Yarbrow

AN ACT to amend Tennessee Code Annotated, Section
57-4-102, relative to premier type tourist resorts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding
the following new subdivision (PPPP):

(PPPP)

(i) A commercially operated facility having all of the following
characteristics:

(a) The facility is located on approximately six (6) acres of land
that is adjacent to two (2) permanent structures which are owned by the
same owner of the facility having approximately seventy thousand square
feet (70,000 sq. ft.) of retail and office commercial space, and is located
no more than three hundred feet (300') from a federal highway;

(b) The facility has at least one (1) permanent structure with
approximately sixty thousand square feet (60,000 sq. ft.) located no more
than five hundred feet (500') from a federal highway and less than two
thousand five hundred feet (2,500') south of a commercial railroad track.
The structure is not less than five hundred twenty-five feet (525') and not
more than five hundred seventy-five feet (575') above sea level. The
structure was renovated in 2016 and 2017;

(c) The facility formerly housed a supermarket business that
closed in 2012;

(d) The facility is approximately two thousand two hundred feet (2,200') to the south of a facility that is accredited by the Association of Zoos and Aquariums that is open to the public;

(e) The facility is located no more than seven thousand feet (7,000') from a railyard of a Class 1 railroad, as defined by the surface transportation board of the United States department of transportation; and

(f) The facility is located in a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census;

(ii) The premises of any facility licensed under this subdivision (PPPP) means any or all of the property that constitutes the facility, except any other licensed premises that is located in the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision;

(iii) The licensee and any other licensed entity in the facility which holds a license under chapter 4 of this title may store beer and alcoholic beverages in a central storage location in the facility. The storage location may be located off of the licensed premises, provided it is in the facility, and alcoholic beverages may be transported from the storage location to the licensed premises, including through another licensed premises. Each licensed entity shall store its inventory of beer and alcoholic beverages in a separately locked cage or other storage area;

(iv) The facility or its tenant may permit a third-party entity to sell food on the licensed premises other than beer or alcoholic beverages;

(v) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (PPPP) means for beer permitting purposes any or all of the property that constitutes the facility, except any other permitted premises that is located in the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one beer permit issued under chapter 5 of this title; and

(vi) Notwithstanding § 57-3-806(f), the owner of the facility may prohibit or restrict, through its lease or other agreements with other businesses, the on-premise sale of beer or alcoholic beverages by other businesses at the facility;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.